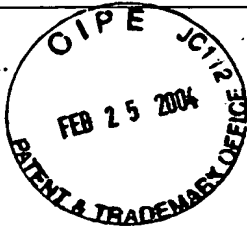

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Huebner et al.

Application No.: 10/713,621

Filed: November 13, 2003

Title: ESTROGEN RECEPTOR MODULATORS



Attorney Docket No.: CHIRP018AD1C2

Examiner: Not yet assigned

Group: Not yet assigned

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first-class mail on February 23, 2004 in an envelope addressed to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.

Signed: _____

Tara Hayden

**INFORMATION DISCLOSURE STATEMENT
37 CFR §§1.56 AND 1.97(b)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The references listed in the attached PTO Form 1449 may be material to examination of the above-identified patent application. Applicants submit the list of these references in compliance with their duty of disclosure pursuant to 37 CFR §§1.56 and 1.97. The Examiner is requested to make these references of official record in this application. The above-identified application is a continuation of prior application U.S. Patent Application No. 10/134,302. This prior application is being relied upon for an earlier filing date under 35 U.S.C. § 120. Because the listed references were either cited by the PTO, or submitted to the PTO in the prior application, under 37 CFR § 1.98(d) Applicants submit that copies need not be provided.

This Information Disclosure Statement is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that these references indeed constitute prior art.

This Information Disclosure Statement is: (i) filed within three (3) months of the filing date of the above-referenced application, (ii) believed to be filed before the mailing date of a first Office Action on the merits, or (iii) believed to be filed before the mailing of a first Office Action after the filing of a Request for Continued Examination under §1.114. Accordingly, it is believed that no fees are due in connection with the filing of this Information Disclosure

Statement. However, if it is determined that any fees are due, the Commissioner is hereby authorized to charge such fees to Deposit Account 500388 (Order No. CHIRP018AD1C2).

Respectfully submitted,

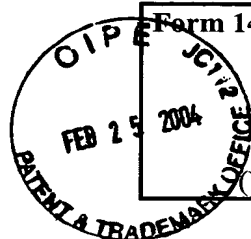
BEYER WEAVER & THOMAS, LLP

A handwritten signature in black ink, appearing to read 'James E. Austin', written over the printed name.

James E. Austin

Registration No. 39,489

P.O. Box 778
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Form 1449 (Modified) Information Disclosure Statement By Applicant (Use Several Sheets if Necessary)	Atty Docket No. CHIRP018AD1C2 Applicant: Huebner et al. Filing Date November 13, 2003	Application No.: 10/713,621 Group Not yet assigned
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U.S. Patent Documents

Examiner Initial	No.	Patent No.	Date	Patentee	Class	Sub-class	Filing Date
	A1	5,547,967	08.20.96	Kehrbach et al.			
	A2	4,268,678	05.19.81	Diana et al.			
	A3	5,861,359	01.19.99	Theodoridis			
	A4	4,112,108	09.05.78	Nadelson			
	A5	4,229,204	10.21.80	Howe			
	A6	5,859,257	01.12.99	Talley			
	A7	6,030,970	02.29.00	Elliot et al.			
	A8	6,069,141	05.30.00	Barbachyn et al.			
	A9	6,114,328	09.05.00	Wityak et al.			
	A10	6,114,367	09.05.00	Cohan et al.			
	A11	5,512,564	04.1996	Zilch et al.			

Foreign Patent or Published Foreign Patent Application

Examiner Initial	No.	Document No.	Publication Date	Country or Patent Office	Class	Sub-class	Translation	
							Yes	No
	B1	WO 95/13262	18.05.95	PCT				
	B2	WO 94/15920	21.07.94	PCT				
	B3	WO 94/17059	04.08.94	PCT				
	B4	WO 94/18201	18.08.94	PCT				
	B5	WO 95/04049	09.02.95	PCT				
	B6	WO 95/06032	02.03.95	PCT				
	B7	WO 97/05115	13.02.97	PCT				
	B8	WO 97/11690	03.04.97	PCT				
	B9	0 435 381 A1	03.07.91	European				
	B10	0 405 905 A2	02.01.91	European				
	B11	0 577 218 A1	05.01.94	European				
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	B16	DE 38 32 570 A1	24.09.88	Germany				
	B17	2 250 343	13.10.1972	Germany				
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	B19	3-74374	1991.03.28	Japan				
Examiner				Date Considered				

Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form 1449 (Modified) Information Disclosure Statement By Applicant (Use Several Sheets if Necessary)	Atty Docket No. CHIRP018AD1C2	Application No.: 10/713,621
	Applicant: Huebner et al. Filing Date November 13, 2003	Group Not yet assigned

U.S. Patent Documents

Examiner Initial	No.	Patent No.	Date	Patentee	Class	Sub-class	Filing Date
	A12	5,565,482	10.1996	Talley et al.			
	A13	6,114,367	09.2000	Cohan et al.			
	A14	6,187,797	02.2001	Pruitt et al.i			
	A15	6,221,876	04.2001	Gruber et al.			
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Foreign Patent or Published Foreign Patent Application

Examiner Initial	No.	Document No.	Publication Date	Country or Patent Office	Class	Sub-class	Translation	
							Yes	No
	B20	3-208044	1991.09.11	Japan				X
	B21	7-215952	1995.08.15	Japan				X
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	B23	24 41504 A1	03.20.75	Germany				
	B24	442,448 A2	08.21.91	Europe				
	B25	41 26543 A1	02.11.93	Germany				
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	B27	97/01551	01.16.97	PCT				
	B28	96/25405	08.22.96	PCT				
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	B30	623,603 A1	11.09.94	Europe				
	B31	31 19727 A1	12.02.82	Germany				

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	C1	Shankar et al., "One Pot Solid Phase Synthesis of Isoxazolines", Tetrahedron Letters, 39 (1998) 2447-2448.
	C2	Taylor et al., "Simultaneous On-Line Characterization of Small Organic Molecules Derived from Combinatorial Libraries for Identify, Quantity, and Purity by Reversed-Phase HPLC with Chemiluminescent Nitrogen, UV, and Mass Spectrometric Detection", AC Research, Anal. Chem., 1998, 70, 3339-3347.
	C3	Doyle et al., "Derivatives of 6-Aminopenicillanic Acid. Part VII. Further 3,5-Disubstituted Isoxazole-4-Carboxylic Acid Derivatives", Journal of The Chemical Society, December 1963, pp. 5845-5854
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	November 13, 2003	Not yet assigned

Other Documents

Examiner Initial	No.	Author, Title, Date, Place (e.g. Journal) of Publication
	C4	Hanson <i>et al.</i> , "Derivatives of 6-Aminopenicillanic Acid. Part VIII, Further Analogues of 3-o-Chlorophenyl-5-methyl-4-isoxazolypenicillin", Journal of The Chemical Society, November 1965, pp. 5976-5983
	C5	Doyle <i>et al.</i> , "Derivatives of 6-Aminopenicillanic Acid. Part VI, Penicillins from 3- and 5-Phenylisoxazole-4-carboxylic Acids and their Alkyl and Halogen Derivatives", Journal of The Chemical Society, December 1963, pp. 5838-5845
	C6	Hamper <i>et al.</i> , "Synthesis and Herbicidal Activity of 3-Aryl-5-(haloalkyl)-4isoxazolecarboxamides and Their Derivatives", J. Agric. Food Chem. 1995, 43, pp. 219-228
	C7	Shanker <i>et al.</i> , "Synthesis and Cleavage Reactions of Benzothiazepinyl Chromone Derivatives, Phosphorus, Sulfur, and Silicon, 1989, Vol. 44, pp. 143-147
	C8	Amme <i>et al.</i> , "Synthesis, Binding Affinities and Uterotrophic Activity of Some 2-Substituted Estradiol and Ring-A-Fused Pyrone Derivatives" <u>Eur. J. Med. Chem.</u> 29:25-32, 1994
	C9	Duncan <i>et al.</i> , "The Preparation of N-Carboalkoxy-pyrazoles and N-Phenylpyrazoles from C(α)-Dianions of Carboalkoxyhydrazones and Phenylhydrazones" <u>J. Heterocyclic Chem.</u> 24:555, 1987
	C10	Fink <i>et al.</i> , "Novel Structural Templates for Estrogen-Receptor Ligands and Prospects for Combinatorial Synthesis of Estrogens" <u>Chemistry and Biology</u> 6:205-219, April, 1999
	C11	Sun <i>et al.</i> , "Novel Ligands that Function as Selective Estrogens or Antiestrogens for Estrogen Receptor- α or Estrogen Receptor- β " <u>Endocrinology</u> 140(2):800-804, 1999
	C12	Wachter <i>et al.</i> , "Tetrahydronaphthalenes: Influence of Heterocyclic Substituents on Inhibition of Steroidogenic Enzymes P450 arom and P450 17" <u>J. Med. Chem.</u> 39:834-841, 1996
	C13	Meisenheimer <i>et al.</i> , "Über Triaryl-Isoxazole" <u>Chemische Berichte</u> 3195-3206, 1921
	C14	Krishna <i>et al.</i> , "Synthesis and Physiological Activity of 3-Hydroxy-Phenyl-5-Aryl Isoxazoles" <u>Chemical Abstracts</u> 79(13):487, 1973
	C15	Yamawaki <i>et al.</i> , "Synthesis and Biological Activity of the Metabolites of [3, 4-Bis(4-Methoxyphenyl)-5-Isoxazolyl] Acetic Acid" <u>Chemical and Pharmaceutical Bulletin</u> 36(8):3142-3146, 1988
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Form 1449 (Modified) Information Disclosure Statement By Applicant (Use Several Sheets if Necessary)	Atty Docket No.	Application No.:
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	Huebner et al.	
	Filing Date	Group
	November 13, 2003	Not yet assigned

Other Documents

Examiner Initial	No.	Author, Title, Date, Place (e.g. Journal) of Publication
	C16	Kim et al., "Reactions of 5-Substituted 3-Alkyl- and 3-Aryl-Isoxazoles with Tetrasulfur Tetranitride Antimony Pentachloride Complex (S ₄ N ₄ SbCl ₅): Complete Regioselective Formation of 4-Substituted 3-Acyl- and 3-Aroyl-1, 2,5-Thiadiazoles and Their Mechanism of Formation" <u>J. Chemical Society</u> 14:2175-2180, 1998
	C17	Mohan et al., "Search for Physiologically Active Compounds XIV Synthesis of Some 3,5-Disubstituted Isoxazoles and Their Physiological Activity" <u>Chemical Abstracts</u> 69(11):4107, 1968
	C18	Wrobel et al., "Conversion of 1-(O-Nitroaryl) Alkyl P-Tolysulfones into Isoxazoles" <u>Heterocycles</u> 40(1):187-190, 1995
	C19	Kasturi et al., "Reaction of Spironaphthalenones with Hydroxylamine Hydrochloride: Part IV" <u>Tetrahedron</u> 51(10):3051-3060, 1995
	C20	Bass, R.G., Polymer Preprints (American Chemical Society) 32(2):160-161, 1991
	C21	Yamawaki et al., "Synthesis and Biological Activity of the Metabolites of [3, 4-Bis(4-Methoxyphenyl)-5-Isoxazolyl] Acetic Acid" <u>Chemical and Pharmaceutical Bulletin</u> 36(8):3142-3146, 1988
	C22	Kim et al., "Reactions of 5-Substituted 3-Alkyl- and 3-Aryl-Isoxazoles with Tetrasulfur Tetranitride Antimony Pentachloride Complex (S ₄ N ₄ SbCl ₅): Complete Regioselective Formation of 4-Substituted 3-Acyl- and 3-Aroyl-1, 2,5-Thiadiazoles and Their Mechanism of Formation" <u>J. Chemical Society</u> 14:2175-2180, 1998
	C23	Mohan et al., "Search for Physiologically Active Compounds XIV Synthesis of Some 3,5-Disubstituted Isoxazoles and Their Physiological Activity" <u>Chemical Abstracts</u> 69(11):4107, 1968
	C24	Wrobel et al., "Conversion of 1-(O-Nitroaryl) Alkyl P-Tolysulfones into Isoxazoles" <u>Heterocycles</u> 40(1):187-190, 1995
	C25	Kasturi et al., "Reaction of Spironaphthalenones with Hydroxylamine Hydrochloride: Part IV" <u>Tetrahedron</u> 51(10):3051-3060, 1995
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	C26	Sulfonyl pyrazoles and isoxazoles: cycloaddition of nitrile imines and nitrile oxides to aryl styryl sulfones. Padmavathi, et al., Department of Chemistry, Sri Venkateswara University, Indian Journal of Chemistry, Section B: Organic Chemistry Including Medicinal Chemistry (1998), 37B(12), 1286-1289. (abstract)
	C27	Reactions of 5-substituted 3-alkyl- and 3-aryl-isoxazoles with tetrasulfur tetranitride antimony pentachloride complex (S₄N₄.SbCl₅): complete regioselective formation of 4-substituted 3-acyl- and 3-aryl-1,2,5-thiadiazoles and their mechanism of formation. [Erratum to document cited in CA129:175594]. Kim, et al., Department of Chemistry, Journal of the Chemical Society, Perkin Transactions 1: Organic and Bio-Organic Chemistry (1998), (18). 3121. (abstract)
	C28	Intermolecular cycloaddition of nitrile imines and nitrile oxides to 1,3-diarylprop-2-en-1-ones. Padmavathi, et al., Department of Chemistry, Heterocyclic Communications (1998), 4(2), 163-168. (abstract)
	C29	Reactions of 5-substituted 3-alkyl- and 3-aryl-isoxazoles with tetrasulfur tetranitride antimony pentachloride complex (S₄N₄.SbCl₅): complete regioselective formation of 4-substituted 3-acyl- and 3-aryl-1,2,5-thiadiazoles and their mechanism of formation. Kim, et al., Department of Chemistry, Seoul National University, Seoul, S. Korea. Journal of the Chemical Society, Perkin Transactions 1: Organic and Bio-Organic Chemistry (1998), (14), 2175-2180. (abstract)
	C30	Some reactions of 1-phenyl-3-(4,6-dimethoxy- or 4,6,7-trimethoxy-5-benzofuranyl)-1,3-propanedione. Saleh, Nadia M. Faculty of Science, Chemistry Department, Al-Azhar University, (for girls), Nasr City, Egypt. Al-Azhar Bulletin of Science (1996), 7(1, Pt. 1), 19-27. (abstract)
	C31	1,3-diphenylpropane-1, 3-diamines. Part VIII. Reactions of lithiated oximes and oxime ethers with C:N-electrophiles. Kaiser, et al., Institute Pharmacy, University Regensburg, Regensburg, Germany. Monatshefte fuer Chemie (1996), 127(4), 397-415. (abstract)
	C32	Preparation and characterization of poly(arylene ether isoxazole)s by fluoride ion-mediated aromatic nucleophilic displacement reactions. Herbert, et al., Dep. Chemistry, Virginia Commonwealth Univ., Richmond, VA, USA. High Performance Polymers (1994), 6(4), 303-19. (abstract)
	C33	A novel synthesis of 4-cyanoethylisoxazoles. Yamauchi, et al., Date, Tadamasu. Fac. Pharm. Sci., Josai Univ., Sakado, Japan. Journal of the Chemical Society, Chemical Communications (1993), (1), 17-18. (abstract)
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Other Documents

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	C34	Synthesis and properties of azoles and their derivatives. Part XXII. Studies on the dehydronitration of regio- and stereoisomeric diarylnitro-A2-isoxazolines by means of the thermogravimetric method. Baranski, et al., Inst. Org. Chem. Technol., Polytech. Univ., Krakow, Pol. Polish Journal of Chemistry (1991), 65(1), 129-35. (abstract)
	C35	Synthesis of aza-macrocycles from polycyclic 5-aminoisoxazoline precursors. Wentland, et al., Dep. Med. Chem. Mol. Charact., Sterling Res. Group, Rensselaer, NY, USA. Journal of Organic Chemistry (1991), 56(15), 4701-6. (abstract)
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	C37	A kinetic study of the 1,3-cycloaddition of benzonitrile oxides to para-substituted P-aminocinnamionitriles. Gelli, et al., 1st. Chim. Org., Univ. Cagliari, Cagliari, Italy. Journal of the Chemical Society, Perkin Transactions 2: Physical Organic Chemistry (1972-1999) (1990), (2). 245-50. (abstract)
	C38	The synthesis of novel nitrogen-containing macrocycles from isoxazoline intermediates. Wentland, Mark P. Med. Chem. Dep., Sterling Res. Group, Rensselaer, NY, USA. Tetrahedron Letters (1989), 30(12), 1477-8. (abstract)
	C39	Cycloaddition reactions of 2,4,6-trimethoxybenzonitrile oxide with disubstituted acetylenes. 3. Abu-Orabi, et al. Chem. Dep., Yarmouk Univ., Irbid, Jordan. Journal of Chemical and Engineering Data (1988), 33(4), 540-1. (abstract)
	C40	1,3-Dipolar cycloaddition of aryl nitrile N-oxides with methyl 3-aryl-2-propynoates and 1-aryl-3-phenyl-2-propyn-1-ones. Fouli, et al., Fac. Sci., Ain Shams Univ., Cairo, Egypt. Journal fuer Praktische Chemie (Leipzig) (1987), 329(6), 1116-22. (abstract)
	C41	Mass spectra of some 3,5-diaryl-4-nitroisoxazoles. Evidence for a retro 1,3-dipolar cycloaddition. Tuaillion, et al., Lab. Corros. Trait. Surf, Univ. Franche-Comte, Besancon, Fr. Organic Mass Spectrometry (1987), 22(8), 550-2. (abstract)
	C42	Reaction of 1,2-diarylcyclopropanes with copper(II) nitrate in acetic anhydride as a method for synthesis of 3,5-diarylisoaxazoles. Sychkova, et al., Univ., Moscow, USSR. Zhurnal Organicheskoi Khimii (1985), 21(2), 292-6. (abstract)
	C43	Quinone derivatives. Kano, et al., (Shionogi and Co., Ltd.). Jpn. Kokai Tokkyo Koho (1972), 3 pp. (abstract)
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U.S. Patent Documents

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	A17	6,441,014	08.2002	Talley et al.			
	A18	6,495,582	12.2002	Hale et al.			
	A19	6,531,498	03.2003	Eggenweiler et al.			
	A20	6,579,880	06.2003	Weidner-Wells et al.			
	A21	6,583,141	06.2003	Freyne et al.			
	A22	6,613,719	09.2003	Kudis et al.			
	A23	6,624,311	09.2003	DiCosimo et al.			

Other Documents

Examiner Initial	No.	Author, Title, Date, Place (e.g. Journal) of Publication
	C44	Experiments with 3-aroylflavanones and 3-aroylflavones: part III -Synthesis of some new 4-aroysi-substituted isoxazoles and isoxazoles. Chincholkar, et al., Dep. Chem., Vidarbha Mahavidyalaya, Amravati, India. Acta Ciencia Indica, Chemistry (1983), 9(1-4), 28-31. (abstract)
	C45	4-Nitroisoxazoles containing polyfluoroaromatic substituents; and some of their properties. Baeva, et al., Kemerovo, USSR. Zhurnal Organicheskoi Khimii (1979), 15(11), 2408-14. (abstract)
	C46	Oximes of (x-nitroketones and synthesis of 4-nitroisoxazoles based on them. Demina, et al., Kemerovo, USSR. Zhurnal Organicheskoi Khimii (1979), 15(4), 735-43. (abstract)
	C47	Preparation of some 4-nitroisoxazoles from chalcone-type pseudonitrosites of ethylenic ketones. Hauff, et al., Fac. Sci., Besancon, Fr. Helvetica Chimica Acta (1978), 61(3), 1207-12. (abstract)
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